

JOSEPH P. RUSSONIELLO(CA SBN 44332)  
United States Attorney  
JOANN M. SWANSON (CA SBN 88143)  
Chief, Civil Division  
MICHAEL T. PYLE (CA SBN 172954)  
Assistant United States Attorney

450 Golden Gate Avenue  
9<sup>th</sup> Floor, Box 36055  
San Francisco, California 94102-3495  
Telephone: 415-436-7322  
Facsimile: 415-436-6748  
michael.t.pyle@usdoj.gov

Attorneys for Defendant

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

RICHARD GAYTAN,	)	Case No. C 07-6367 VRW
	)	
Plaintiff,	)	
	)	PROOF OF SERVICE
v.	)	
	)	
ELAINE CHAO, Secretary of Labor,	)	
	)	
Defendant.	)	

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee of the Office of the United States Attorney for the Northern District of California and is a person of such age and discretion to be competent to serve papers. The undersigned further certifies that on **August 29, 2008** she caused a copy of:

**DEFENDANT ELAINE CHAO'S NOTICE OF MOTION AND MOTION TO DISMISS;**

**[PROPOSED] ORDER GRANTING DEFENDANT ELAINE CHAO'S NOTICE OF MOTION AND MOTION TO DISMISS; and MEMORANDUM OF DECISION, FINDINGS OF FACT AND CONCLUSIONS OF LAW in the case Veterans for Common Sense et al. v. James B. Peake, M.D., et al., C 07-3758 SC** to be served by mail upon the person(s) at the place and address(es) stated below, which is the last known address:

//

//

1 Richard Gaytan  
2 733 Banff Drive  
3 Newman, CA 95360  
4 PRO SE

5 I declare under penalty of perjury under the laws of the United States that the foregoing is true and  
6 correct.

7 /s/

8 Dated: August 29, 2008

9 By:

10 STEFANIA M. CHIN  
11 Legal Assistant  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28